Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Message Text

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PAGE 01 MANILA 08553 030626Z
ACTION EB-07

INFO OCT-01 EA-09 ISO-00 L-03 AID-05 CIAE-00 COME-00
FRB-01 INR-07 NSAE-00 USIA-15 TRSE-00 XMB-04
OPIC-06 SP-02 LAB-04 EPG-02 SIL-01 OMB-01 /068 W
----------030636Z 049343 /16
R 030559Z JUN 77
FM AMEMBASSY MANILA
TO SECSTATE WASHDC 654

UNCLAS MANILA 8553

DEPT FOR ATTENTION EB/IFD/BP, HARVEY J. WINTER

E.O. 11652: N/A
TAGS: EIND, EINV, RP
SUBJ: TRADEMARK INFRINGEMENT - LORILLARD'S "KENT"

1. A LOCAL LAW FIRM, QUASHA, ET. AL., IS REPRESENTING LORILLARD, A DIVISION OF LOEWS THEATRES, INC., A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF NEW YORK, IN AN ACTION FOR TRADEMARK INFRINGMENT OF LORILLARD'S MARK, "KENT" CIGARETTES BEFORE THE APPROPRIATE PHILIPPINE COURT. LORILLARD IS THE REGISTERED OWNER IN THE PHILIPPINES OF "KENT", ALTHOUGH IT IS NOT LICENSED TO DO BUSINESS HERE. QUASHA IS BRINGING SUIT UNDER SECTION 21-A OF REPUBLIC (OF THE PHILIPPINES) ACT 166, AS AMENDED, OTHERWISE KNOWN AS THE TRADEMARK LAW.

2. QUASHA IS ASKING THE EMBASSY TO ISSUE A CERTIFICATE THAT UNDER THE PERTINENT U.S. LAW A PHILIPPINE CITIZEN OR CORPORATION TO WHOM A TRADEMARK HAS BEEN REGISTERED OR ASSIGNED IN THE UNITED STATES WOULD HAVE THE LEGAL CAPACITY TO FILE AN ACTION IN THE UNITED STATES FOR TRADEMARK INFRINGEMENT OR UNFAIR COMPETITION, WHETHER OR NOT IT HAS BEEN LICENSED TO DO BUSINESS IN THE UNITED STATES.
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3. ACTION REQUESTED: EMBASSY WOULD APPRECIATE EB/IFD/BP ADVISING WHETHER SUCH A CERTIFICATE CAN BE ISSUED, AND PROVIDING SUGGESTED TEXT AS APPROPRIATE.
STULL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LITIGATION, TRADEMARKS
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Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
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Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
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Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
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Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2289781
Secure: OPEN
Status: NATIVE
Subject: TRADEMARK INFRINGEMENT - LORILLARD\'S \"KENT\"
TAGS: EIND, EINV, RP, US, QUASHA ET AL, LORILLARD
To: STATE
Type: TE
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